

STATE OF CALIFORNIA  
ENVIRONMENTAL PROTECTION AGENCY  
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

In the Matter of:	)	Docket No.	SRPD99/00
	)		NNS-2032
Sensym Foxboro ICT	)		
1804 McCarthy Boulevard	)		
Milpitas, CA 95035-7416	)	ENFORCEMENT ORDER	
	)		
EPA ID# CAD 980 813 018	)		
	)		
Respondent.	)	Health and Safety Code	
	)	Section 25187	

**INTRODUCTION**

1.1. **Parties.** The State Department of Toxic Substances Control (Department) issues this Enforcement Order (Order) to Sensym Foxboro ICT (Respondent).

1.2. **Site.** Respondent generated, handled, treated, and/or stored hazardous waste at the following site: 1255 Reamwood Avenue, Sunnyvale, California 95089 (Site).

1.3. **Hazardous Waste Authorization.** The Respondent was authorized to operate pursuant to a Conditional Authorization issued by the Department on September 9, 1993

1.4. **Jurisdiction.** Section 25187 of the Health and Safety Code (HSC) authorizes the Department to order corrective action and assess a penalty when the Department determines that any person has violated specified provisions of the HSC, or any related permit, rule, regulation, standard, or requirement.

## DETERMINATION OF VIOLATIONS

2. The Department has determined that the Respondent violated HSC, section 25200.14(b)(1) in that Respondent failed to complete and file a phase I environmental assessment with the Department by January 1, 1997.

## SCHEDULE FOR COMPLIANCE

3. Based on the foregoing DETERMINATION OF VIOLATIONS, IT IS HEREBY ORDERED THAT:

3.1. Respondent submitted to the Department a completed DTSC Form #1151 (Tiered Permitting phase I environmental assessment checklist) or an equivalent phase I environmental assessment as specified in HSC, section 25200.14(b) on September 24, 1999. If upon review of the phase I environmental assessment, it is determined the assessment is incomplete, the Department will return the assessment to Respondent to amend. Respondent shall submit the amended assessment to the Department within 15 days of receipt of the incomplete assessment.

3.2. **Submittals.** All submittals from a Respondent pursuant to this Order shall be sent to:

Lawrence S. Wong, Section Chief  
Northern California Branch  
State Regulatory Programs Division  
Department of Toxic Substances Control  
700 Heinz Avenue  
Berkeley, California 94710-2721

3.3. **Communications.** All approvals and decisions of the Department made regarding submittals and notifications will be communicated to Respondent in writing by the State Regulatory Programs Division Branch Chief, Department of Toxic Substances Control, or his/her designee. No informal advice, guidance, suggestions, or comments by the Department regarding reports, plans, specifications, schedules, or any other writings by Respondent shall be construed to relieve Respondent of the obligation to obtain such formal approvals as may be required.

#### **PENALTY**

4. Based on the foregoing DETERMINATION OF VIOLATIONS, the Department sets the amount of Respondent's penalty at \$8,000. Payment is due within 30 days from the effective date of this Order. Respondent's check shall be made payable to the Department of Toxic Substances Control, and shall identify the Respondent and Docket Number, as shown in the heading of this case. Respondent shall deliver the penalty payment to:

Department of Toxic Substances Control  
Accounting Office  
400 P Street, 4th Floor  
P. O. Box 806  
Sacramento, California 95812-0806

A photocopy of the check shall be sent to:

Lawrence S. Wong, Section Chief  
Northern California Branch  
State Regulatory Programs Division  
Department of Toxic Substances Control  
700 Heinz Avenue  
Berkeley, California 94710-2721

#### RIGHT TO A HEARING

5. You may request a hearing to challenge the Order. Appeal procedures are described in the attached Statement to Respondent.

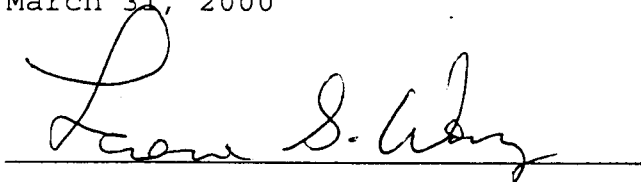
#### EFFECTIVE DATE

6. This Order is final and effective twenty days from the date of mailing, which is the date of the cover letter transmitting the Order to you, unless you request a hearing within the twenty-day period.

#### TIME PERIODS

7. "Days" for purposes of this Order means calendar days.

Date of Issuance: March 31, 2000

A handwritten signature in cursive script, appearing to read "Lawrence S. Wong", is written over a horizontal line.

Lawrence S. Wong, Section Chief  
Northern California Branch  
State Regulatory Programs Division